

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RYAN KARNOSKI, et al.,

Plaintiffs,

v.

DONALD J TRUMP, et al.,

Defendants.

CASE NO. C17-1297 MJP

ORDER GRANTING PLAINTIFFS'
LCR 37 MOTION TO EXTEND
DEADLINE FOR DISCOVERY
MOTIONS (DKT. NO. 490)

The above-entitled Court, having received and reviewed the LCR 37 Joint Submission on Plaintiffs' Motion to Extend the Discovery Motions Deadline (Dkt. No. 490), along with relevant portions of the record, GRANTS Plaintiffs' Motion. The deadline for filing motions related to discovery is extended to **May 29, 2020**.

Discussion

In this LCR 37 Joint Submission, Plaintiffs seek to extend the deadline for filing discovery-related motions, currently set for April 30, 2020. (Dkt. No. 418.) Plaintiffs argue that because Defendants have pending deadlines to produce discovery, it is likely that further disputes will arise requiring additional motion practice. (Dkt. No. 490 at 3.) Plaintiffs' argument is

1 well-supported by the record. Shortly before the present motion was filed, Defendants sought 75
2 additional days to comply with one of their discovery deadlines. (Dkt. No. 488 at 12.) Nearly
3 every other production deadline has also been met with delays. (See, e.g., Dkt. No. 487 (noting
4 Defendants' incomplete production of materials for the Court's *in camera* review); Dkt. No. 415
5 (granting Defendants' request for an administrative stay of the Court's orders requiring
6 Defendants to produce additional discovery); Dkt. No. 405 at 9 (Defendants arguing they should
7 not be required to produce the documents in question weeks after being ordered to do so by the
8 Court.)

9 Defendants contend that no additional time for discovery motions is warranted because
10 Plaintiffs have not been diligent in bringing discovery disputes to the Court until this year. (Dkt.
11 No. 490 at 5.) This argument finds no support in the record. Plaintiffs have consistently brought
12 discovery disputes before this Court since February 2018 when they moved to compel
13 Defendants' initial disclosures. (Dkt. No. 190.) In May 2018, Plaintiffs moved to compel
14 documents withheld under the deliberative process privilege; the Order granting that Motion was
15 then stayed by the Ninth Circuit in September 2018 after Defendants filed their first Petition for a
16 Writ of Mandamus. (Dkt. No. 317.) Since the Ninth Circuit remanded this matter in August
17 2019, Plaintiffs have repeatedly and diligently brought disputes before the Court, including a
18 renewed Motion to Compel Documents Withheld Under the Deliberative Process Privilege, filed
19 just weeks after the Ninth Circuit issued its mandate. (See also Dkt. Nos. 482, 480, 449, 445,
20 438.)

21 Conclusion

22 Because there have been significant delays with Defendants' productions and because
23 Plaintiffs have been diligent and proactive in bringing discovery disputes before the Court,
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1 Plaintiffs' Motion to Extend the Discovery Motions Deadline is GRANTED. The deadline for
2 filing motions related to discovery is extended to **May 29, 2020**.

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4 The clerk is ordered to provide copies of this order to all counsel.

5 Dated May 11, 2020.

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8 Marsha J. Pechman
9 Senior United States District Judge
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